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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,870	01/09/2006	Fujio Mizukami	284468US0PCT	1923

22850	7590	10/12/2007
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.		
1940 DUKE STREET		
ALEXANDRIA, VA 22314		

EXAMINER	
BRUNSMAN, DAVID M	

ART UNIT	PAPER NUMBER
1793	

NOTIFICATION DATE	DELIVERY MODE
10/12/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10563870	1/9/06	MIZUKAMI ET AL.	284468US0PCT

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
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ALEXANDRIA, VA 22314

EXAMINER

David M. Brunzman

ART UNIT	PAPER
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1755

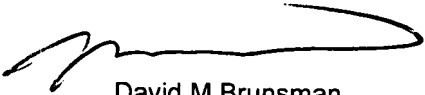
20071006

DATE MAILED:

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Commissioner for Patents

See attachment.


David M Brunzman
Primary Examiner
Art Unit: 1755

Art Unit: 1755

This application has been transferred to Primary Examiner David M. Brunsman.

Applicant's amendment filed 19 July 2007 has been carefully considered.

In response to a requirement for restriction mailed 17 November 2006 dividing the originally filed claims into five groups: a method of activating the function of a protein, a method of producing active protein, a protein refolding kit, a protein refolding agent and, a protein refolding molding, respectively, applicant elected the fourth group to a protein refolding agent with traverse in the response filed 18 December 2006. Applicant's traversal was fully addressed in the office action mailed 19 March 2007 and all of the claims of the elected group rejected over Wadlinger et al.

In the latest response applicant has amended the elected claims, added new claim 43 drawn to the first group and added claims 44-48 drawn to a protein refolding *composition* classified and here grouped with the refolding kit of the third group. The claims examined in the office action of 19 March 2007 were drawn to a protein refolding agent comprising zeolite beta. Dependent claim 22 recited that the refolding agent carries out protein refolding in the presence of a denaturant, surfactant and/or refolding buffer, clearly presenting the denaturant, surfactant and/or refolding buffer as materials employed in the intended use in addition to the refolding agent. Throughout the specification, the clear demarcation between the refolding agent and these additional materials is maintained. Claims requiring a combination of denaturant, surfactant and/or refolding buffer in addition to the refolding agent would be grouped with the protein refolding kit claims.

The amendment filed on 19 July 2007 effectively canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention for the reasons set forth above.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Art Unit: 1755

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M. Brunsman whose telephone number is 571-272-1365. The examiner can normally be reached on M, Th, F, Sa; 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on 571-272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David M Brunsman
Primary Examiner
Art Unit 1755

DMB

